

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

REGINALD G. BAKER, SUZANNE
LEWIS, in her official capacity as
Power of Attorney for Plaintiff;
KIMBERLY NOAHR, Petitioner elect;
and MINOR CHILDREN OF THE
ABOVE,

Plaintiffs,

vs.

J.D., CEO Alivation Health; ANNETTE
KAY MARGET, HARBANS S. DEOL,
in his official capacity as Director of
Health Services for Nebraska
Department of Correctional Services;
DR. JEFFREY P. KASSELMAN,
SARA BETH ALLEN, DR. JEFFREY
A. DAMME, M.D.; DOES 1-6, Nurses;
PETE RICKETTS, in his official
capacity as Govenor in and for State of
Nebraska; SCOTT R. FRAKES, in his
official capacity as Director of NDOCS;
JOHN BOLDUC, in his official capacity
as Superintendant of Nebraska State
Patrol; R. HOLLEY, BRAD HANSEN,
SCOTT BUSBOOM, c/m Ruede; and
LAWYERS,

Defendants.

8:19CV93

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff Reginald G. Baker's Motion for Reconsideration. ([Filing No. 17](#).) Plaintiff asks the court to reconsider the May 10, 2019 Memorandum and Order and Judgment (filing nos. [15](#) & [16](#)) dismissing this matter without prejudice pursuant to the "three strikes" rule in 28 U.S.C. §

1915(g). Plaintiff contends that 28 U.S.C. § 1915(g) violates his First Amendment constitutional right to access the courts and that he “has demonstrated good cause in his Complaint.” ([Filing No. 17.](#)) Plaintiff also states in his motion that he is “giv[ing] notice that he is filing an Appeal of Judge Kopf’s decision.” (*Id.*) Upon consideration,

IT IS ORDERED that:

1. Plaintiff’s Motion for Reconsideration ([filing no. 17](#)) is denied.
2. Plaintiff is advised that if he wishes to appeal the court’s May 10, 2019 Memorandum and Order and Judgment, then he must file a separate notice of appeal.

Dated this 6th day of June, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge